

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

M.T., a minor by and through his grandmother
and next friend, EDWINA WOODLEY, et al.,

Plaintiffs,

vs.

TATUM UNIFIED SCHOOL DISTRICT,

Defendant.

§
§
§
§
§
§
§
§
§
§
§

C.A. NO.: 2:21-cv-00364

JOINT STATUS REPORT

Plaintiffs M.T., a minor by and through his grandmother and next friend Edwina Woodley, and K.C., a minor by and through his mother and next friend Kambry Cox, and Defendant Tatum Independent School District (the District) (collectively, the Parties) file this Joint Status Report, as follows:

1. On October 13, 2023, the Court reset the trial in this matter for February 12, 2024, and ordered the Parties to file a joint status report outlining any outstanding issues to be resolved before trial. *See* Dkt. 120.

2. The District believes that the additional Pretrial Conference, set for January 11, 2024, is necessary, specifically to address and obtain rulings on the following outstanding issues. Plaintiffs disagree, as noted below.

a. The District's Motion to Reconsider the Partial Denial of the District's Motion to Dismiss and Motion for Summary Judgment. *See* Dkt. Nos. 122-24.

- i. Plaintiffs believe that Defendant's Motion for Reconsideration does not require a further pre-trial conference.
- b. Plaintiffs' Motion to Reconsider Sanctions. *See* Dkt. Nos. 63, 77, 80.
 - i. Plaintiffs believe that Plaintiff's Motion for Reconsideration does not require a further pre-trial conference.
- c. The District's Motion for Recoverable Costs. *See* Dkt. Nos. 78, 90-91.
 - i. Plaintiffs believe that Defendant's Motion for Recoverable cost does not require a further pre-trial conference.
- d. Plaintiffs' Objections to the District's Exhibit List. *See* Dkt. Nos. 93, 100, 102.
 - i. The parties have already discussed their respective positions on Plaintiff's Objections to the District's Exhibit List and Plaintiffs believe that a further pre-trial conference is not necessary for this issue.
- e. The District's Objections to Plaintiffs' Exhibit List. *See* Dkt. Nos. 93, 97, 106.
 - i. The parties have already discussed their respective positions on District's Objections to the Plaintiffs'

Exhibit List and Plaintiffs believe that a further pre-trial conference is not necessary for this issue.

f. The District's Objections to Plaintiffs' Witness List. *See* Dkt. Nos. 96, 114-115.

i. The parties have already discussed their respective positions on the District's Objections to the Plaintiffs' Witness List and Plaintiffs believe that a further pre-trial conference is not necessary for this issue.

g. The applicability of the Texas CROWN Act. *See* Dkt. Nos. 116, 118.

i. This matter has been fully briefed by the parties and Plaintiffs believe that a further pre-trial conference is not necessary for this issue.

h. The District's Objections to Plaintiffs' use of deposition excerpts to be read or played during opening statements or trial. *See* Dkt. No. 93 at Part K.

i. The parties have already discussed their respective positions on the District's Objections to Plaintiffs' use of deposition excerpts to be read or played during opening statements or trial. Plaintiffs believe that a further pre-trial conference is not necessary for this issue.

i. The Parties' Proposed Jury Instructions. *See* Dkt. No. 98.

i. The parties agree to meet and confer and file an Amended Joint Proposed Jury Instructions by January 26, 2024.

j. The length of trial. *See* Dkt. No. 93 at Part J.

i. Plaintiffs suggested 3-4 day jury trial. The District believes the Court is yet to rule on the length of trial but believes it should be 2 days.

3. Plaintiffs disagree that the January 11, 2024, Pretrial Conference is necessary. Plaintiffs request that if the Court schedules a second pre-trial conference that lead attorney Waukeen McCoy be allowed to attend the pre-trial conference via telephone or videoconference. The District does not oppose Mr. McCoy appearing via telephone or videoconference.

Respectfully submitted,

LAW OFFICE OF BRADLEY STEELE

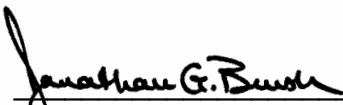
ROGERS, MORRIS, & GROVER, L.L.P.

/s/ Waukeen McCoy
By Permission – Amy Demmler

BRAD STEELE
LAW OFFICE OF BRADLEY STEELE
Texas Bar No. 19099350
1101 Judson Road
Longview, Texas 75601
Telephone: 903/234-8844
Facsimile: 903/234-8848
Email: brad@bradsteelelaw.com

WAUKEEN MCCOY
California Bar No. 168228
111 Maiden Lane, 6th Floor
San Francisco, CA 94108
Telephone: 415/675-7705
Facsimile: 415/675-2530
Email: mail@mccoyslaw.com
*Admitted *Pro hac Vice*

ATTORNEYS FOR PLAINTIFFS

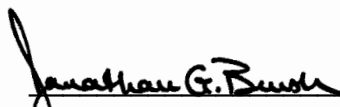


JONATHAN G. BRUSH
State Bar No. 24045576
Fed. I.D. No. 619970
jbrush@rmgllp.com
AMY DEMMLER
State Bar No. 24092337
Fed. I.D. No. 3227731
ademmler@rmgllp.com
5718 Westheimer, Suite 1200
Houston, Texas 77057
Telephone: 713/960-6000
Facsimile: 713/960-6025

ATTORNEYS FOR TATUM ISD

CERTIFICATE OF SERVICE

I hereby certify that on January 4, 2024, I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system which will send electronic notification of such filing to all counsel of record.



Attorney for Tatum ISD